TOWN OF VIKING
LAND USE BYLAW

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Town of Viking
Province of Alberta
Bylaw No. 86-410

Being the Town of Viking Land Use Bylaw

WHEREAS the Planning Act, R.S.A. 1980, and amendments thereto authorize the council of a municipality to enact a land use bylaw to regulate and control the use and development of land and buildings within the municipality; and

WHEREAS the Council of the Town of Viking deems it desirable to adopt an updated land use bylaw.

NOW THEREFORE, the Town of Viking hereby enacts as follows.

PART ONE — GENERAL ADMINISTRATIVE PROCEDURES AND AGENCIES

1.1 Purpose

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Town to achieve the orderly and economic development of land. To this end, the Bylaw, amongst other matters:

a) divides the Town into Districts;

b) describes the purposes for which land and buildings may be used;

c) establishes the office of Development Officer;

d) establishes a method of making decisions on development permit applications;

e) prescribes the procedure for notifying those persons likely to be affected by the issuance of a development permit.

1.2 Control of Development

No development other than that designated in Section 1.3 shall be undertaken within the Town unless an application for it has been approved and a development permit has been issued.

1.3 Development Not Requiring a Development Permit

The following development shall not require a development permit:

a) the carrying out of work or maintenance to any building provided that such works do not include structural alterations or major renovations;

b) the completion and use of a building which was lawfully under construction on the date this Bylaw comes into effect provided that the building is completed in accordance with the terms of any permit granted and subject to the conditions of that permit;

c) the erection or maintenance of gates, fences, or other means of enclosure (other than on corner lots) less than one metre in height in front yards and less than two metres in height in side and rear yards;

d) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued under this Bylaw;

e) the maintenance and repair of public works, services, and utilities carried out by or on behalf of federal, provincial, and municipal public authorities on land which is publicly owned or controlled.

1.4 Development Officer

Council hereby establishes the Office of Development Officer which is authorized to act on behalf of Council on those matters delegated to it by this Bylaw. The Development Officer shall be appointed by Resolution of Council.

The Development Officer shall:

a) perform such duties as specified in Part 2 of this Bylaw;

b) keep a copy of this Bylaw and all amendments to it available for public inspection at reasonable times, and ensure that copies are available at a reasonable charge.

1.5 Municipal Planning Commission

The Municipal Planning Commission as established by Bylaw (included on page 50) shall perform such duties as specified in Part 2 of this Bylaw.

1.6 Development Appeal Board

The Development Appeal Board, established by Bylaw No. 337, shall perform such duties as are specified in Part 3 of this Bylaw.

1.7 Planning Branch, Alberta Municipal Affairs

The Development Officer/Municipal Planning Commission or Council may request the advice of the Director of the Planning Branch, Alberta Municipal Affairs, or a representative, on matters pertaining to this Bylaw.

PART TWO — DEVELOPMENT APPLICATION PROCESS

2.1 Application for Development

An application form for a development permit (Form A, pg. 43) shall be completed and submitted to the Development Officer and shall be accompanied by:

a) site plans, drawn to scale, showing:
   i. legal description of the site;
   ii. dimensions of the site;
   iii. floor plans, elevations, and exterior finishing material;
   iv. utilities, site drainage, finished lot grades, the grades of the streets and sewer servicing the property;
   v. the height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, trees, landscaping and other physical features;
   vi. on applications for multi-family, commercial, industrial, recreational, and institutional uses:
      — loading and parking provisions
      — access locations to and from the site
      — garbage and storage areas and the fencing and screening proposed for same
      — location and approximate dimensions of all existing and proposed trees, shrubs, parks, playgrounds, etc.
      — information describing any noxious, toxic, radioactive, flammable, or explosive materials proposed;
   vii. where applicable, the location of existing and proposed wells, septic tanks, disposal fields, culverts and crossings;
   viii. where applicable, the cutting down or removal of trees;

b) on applications for signs, a colored replica of the proposed sign drawn to scale;

c) a statement of ownership of the land and intent of the applicant therein;

d) the estimated commencement and completion dates;

e) an application fee of $10;

f) any other information as requested by the Development Officer/Municipal Planning Commission.

2.2. Decision Process

1. The Development Officer shall refer to the Municipal Planning Commission for a decision, all applications for discretionary uses, permitted uses requiring a variance, and any other application which, in the opinion of the Development Officer, should be decided by the Commission.

2. In making a decision, the Development Officer/Municipal Planning Commission may approve the application with or without conditions, or refuse the application.

3. Town Council may require, as a condition of issuing a development permit, that the applicant enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities, or to pay an off-site or redevelopment levy imposed by bylaw.

4. Where a development permit application is refused, the submission of another application for a permit on the same or similar use of land may not be accepted by the Development Officer for at least six months after the date of the previous refusal.

5. The Municipal Planning Commission may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Municipal Planning Commission:

   a) the proposed development would not:

      i. unduly interfere with the amenities of the neighbourhood, or

      ii. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and

   b) the proposed development does not conflict with the use prescribed for the land or building in this Bylaw.

6. An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision is not made within 40 days after the Development Officer receives the application. The applicant may appeal the decision as though the application had been refused.

2.3 Development Permits and Notices

1. A development permit does not come into effect until 15 days after the date the decision is publicized as described in subsection 2.3.3. Any development proceeded with prior to the expiry of this period is done solely at the risk of the applicant.

2. When an appeal is made pursuant to Section 3.1, a development permit which has been granted does not come into effect until the appeal has been determined. The permit may then be granted as approved, modified, or nullified.

3. When a permit has been issued, the Development Officer shall:

   a) immediately mail a notice in writing to all adjacent landowners who in the opinion of the Development Officer may be affected; and/or

   b) immediately publish a notice in a newspaper circulating in the Town stating the location of the property and the use approved; and/or

   c) immediately post a notice of the decision conspicuously on the property for which the application has been made.

4. If the development authorized by a permit is not commenced within 12 months from the date of the permit's issue, or carried out with reasonable diligence, the permit is deemed to be void unless an extension has been granted by the Development Officer/Municipal Planning Commission.

5. A decision of the Development Officer/Municipal Planning Commission on a development permit application shall be given in writing and a copy of it sent to the applicant.

6. When the Development Officer/Municipal Planning Commission refuses a development permit application, the decision shall contain reasons for the refusal.

2.4 Compliance With Other Regulations and Bylaws

Nothing in this Bylaw affects the duty or obligation of a person to obtain any other permit, license, or authorization required by any Act, Regulation, or Bylaw.

PART THREE — APPEALS

3.1 Appeal Procedure

1. An appeal may be made to the Development Appeal Board where the Development Officer/Municipal Planning Commission:
   a) refuses a development permit application; or
   b) fails to render a decision on a development permit application within 40 days of its receipt; or
   c) approves a development permit application; or
   d) issues an order under subsection 4.1.1 of this Bylaw.
2. The person applying for the permit, or affected by the order, or any other person, may appeal to the Development Appeal Board.
3. An appeal shall be made by serving a written notice of appeal to the Development Appeal Board within 14 days after:
   a) the date the order, decision, or permit was publicized; or
   b) the 40 day period referred to in subsection 2.2.6 has expired.

3.2 Public Hearing

1. Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.
2. The Development Appeal Board shall give at least 5 days notice in writing of the public hearing to:
   a) the appellant;
   b) the Development Officer/Municipal Planning Commission from whose order, decision, or development permit the appeal is made;
   c) those adjacent landowners who were notified under subsection 2.3.3 and any other person who, in the opinion of the Development Appeal Board, are affected by the order, decision, or permit; and
   d) such other persons as the Development Appeal Board specifies.
3. The Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:
   a) the application for the development permit, its refusal, and the appeal therefrom; and
   b) the order of the Development Officer under subsection 4.1.1, as the case may be.
4. At the public hearing referred to in subsection (1), the Board shall hear:
   a) the appellant or any person acting on their behalf;
   b) the Development Officer or chairperson of the Municipal Planning Commission from whose order, decision, or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer/ Municipal Planning Commission, that person;

c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and

d) any other person who claims to be affected by the order, decision, or permit and that the Development Appeal Board agrees to hear or a person acting on his behalf.

3.3 Decision

1. The Development Appeal Board shall:

   a) make and keep a written record of its proceedings, which may be in the form of a summary of the evidence presented to it at the hearing; and

   b) give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.

2. In determining an appeal, the Development Appeal Board:

   a) shall comply with this Bylaw;

   b) may confirm, revoke, or vary the decision or development permit or any condition attached to any of them or make or substitute an order, decision, or permit of its own;

   c) may make an order or decision or issue or confirm the issue of a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in its opinion:

      i. the proposed development would not:

         (A) unduly interfere with the amenities of the neighbourhood, or

         (B) materially interfere with or affect the use, enjoyment, or value of neighbouring properties;

      and

      ii. the proposed development conforms with the use prescribed for that land or building in this Bylaw.

   d) A decision made by the Development Appeal Board is final and binding and may only be appealed upon a question of jurisdiction or law pursuant to Section 152 of the Planning Act, R.S.A. 1980. An application for leave to appeal to the Appellate Division of the Court of Queen's Bench of Alberta shall be made:

      i. to a justice of the Appellate Division; and

      ii. within 30 days after the issue of the order, decision, permit, or approval sought to be appealed.

PART FOUR — CONTRAVENTION, AMENDMENT, AND NONCONFORMING USES AND BUILDINGS

4.1 Contravention

1. If the Development Officer finds that a development or use of land or buildings is not in accordance with:

   a) the Planning Act or the Regulations;

   b) a development permit or subdivision approval; or

   c) this Bylaw;

   the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:

   d) stop the development or use of the land or buildings in whole or part as directed by the notice;

   e) demolish, remove, or replace the development; or

   f) take other measures specified in the notice so that the development or use of the land or building is in accordance with the Planning Act, the Regulations, a development permit, subdivision approval, or this Bylaw, as the case may be;

   within the time specified by the notice.

2. A person who receives a notice referred to in subsection 4.1.1 may appeal to the Development Appeal Board pursuant to Part 3.

3. If a person fails or refuses to comply with an order directed to him under subsection 4.1.1, or an order of the Development Appeal Board, Council or the person appointed by it may, in accordance with subsection 4.1.5, enter on the land or building and take any action necessary to carry out the order.

4. When Council or the person appointed by it carries out an order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

5. The Development Officer shall be declared an authorized person of Council pursuant to Section 43 of the Planning Act, R.S.A. 1980.

6. A person who contravenes any provision of this Bylaw, development permit, or an order issued pursuant to subsection 4.1.1 is guilty of an offense and is liable for a fine not to exceed $500.

4.2 Amendment

Council may amend or repeal this Bylaw pursuant to Sections 139, 140, and 142 of the Planning Act, R.S.A. 1980. Requests for amendment may be made using Form G included in Part 7 of this Bylaw. An application fee of $10 shall accompany the application.

4.3 Nonconforming Uses and Building

1. A nonconforming use of land or a nonconforming use of a building may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of the Land Use Bylaw then in effect.

2. A nonconforming use of part of a building may be extended throughout the building but the building, whether or not it is a nonconforming building, shall not be enlarged or added to and no structural alterations shall be made to it.

3. A nonconforming use of part of a lot shall not be extended or transferred in whole or part to any other part of the lot and no additional buildings shall be erected upon the lot while the nonconforming use continues.

4. A nonconforming building may continue to be used but the building shall not be enlarged, added to, rebuilt, or structurally altered except:

   a) as may be necessary to make it a conforming building; or

   b) as the Development Officer considers necessary for the routine maintenance of the building.

5. If a nonconforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.

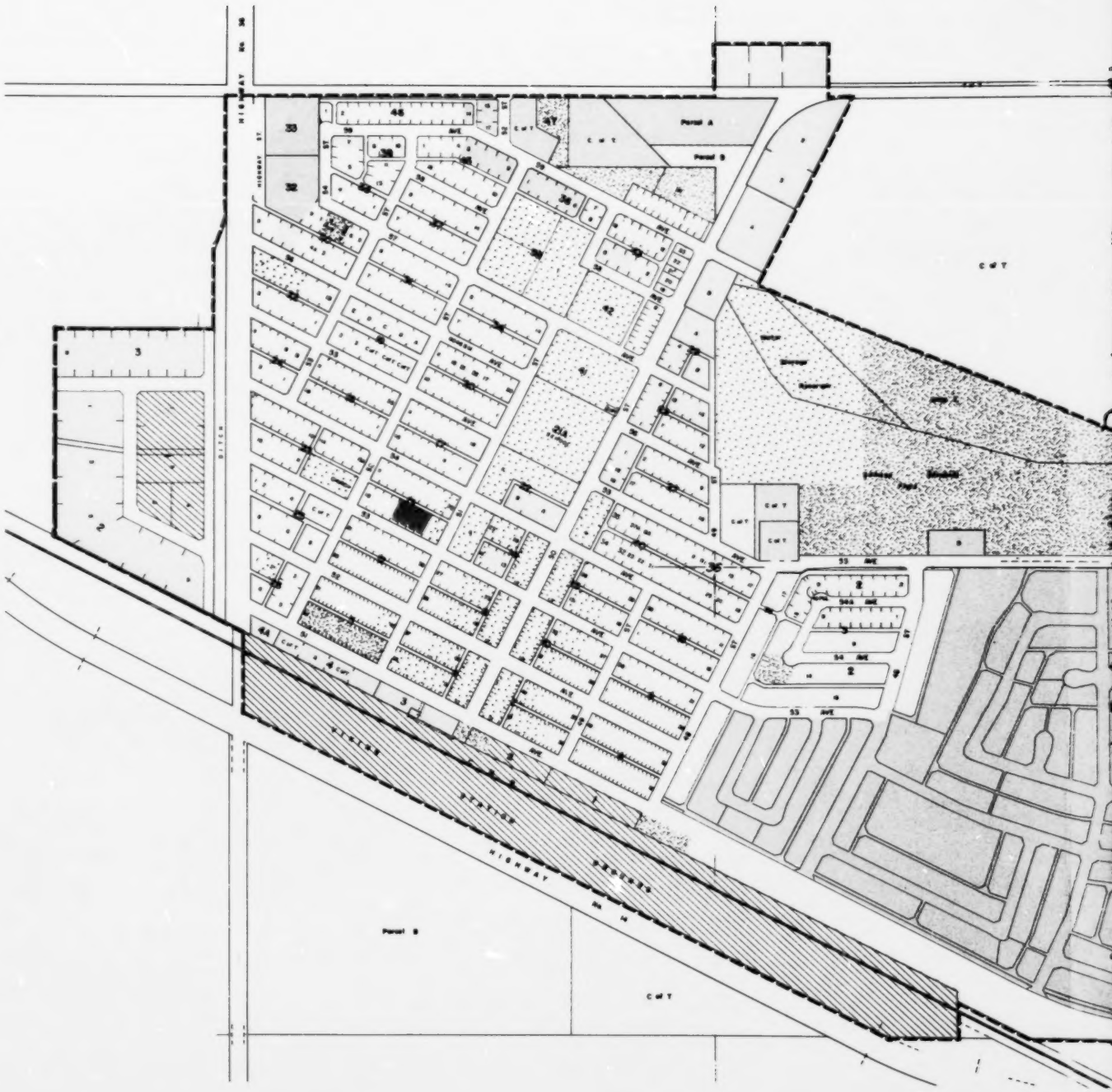
6. The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

PART FIVE — LAND USE DISTRICTS

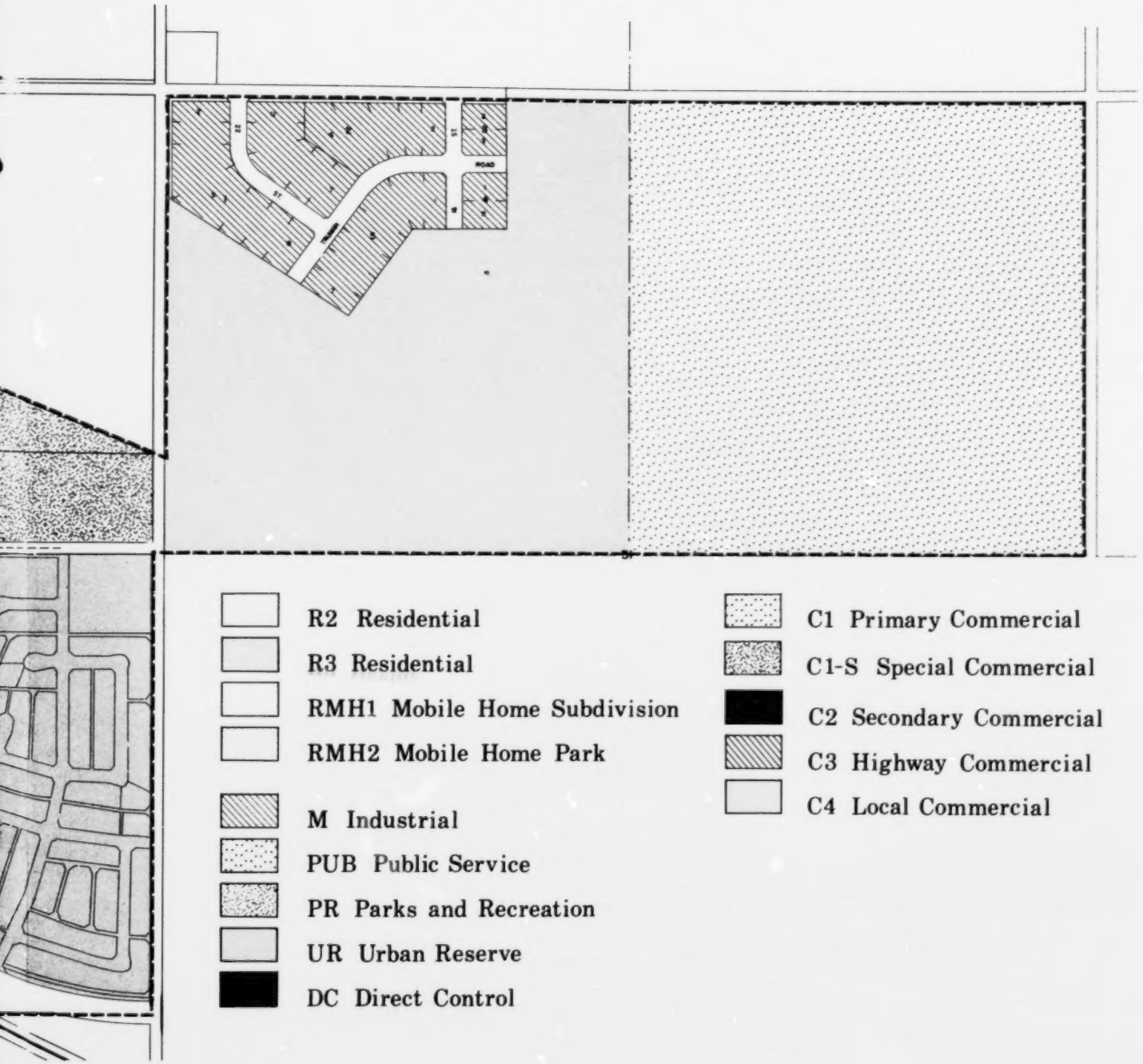
5.1 For the purpose of this Bylaw the Town of Viking is divided into the following Districts:

R2	Residential, low density
R3	Residential, medium-high density
RMH1	Residential, mobile home subdivision
RMH2	Residential, mobile home park
C1	Central Commercial
C1-S	Special Commercial
C2	Secondary Commercial
C3	Highway Commercial
C4	Local Commercial
M	Industrial
PUB	Public Service
UR	Urban Reserve
PR	Parks and Recreation
DC	Direct Control

5.2 The boundaries of these Districts are as shown on the Land Use District Map (p. 10). Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.


HIGHWAY
STREET
Parcel A
Parcel B
Parcel C
CUT
33
32
46
47
38
39
42
43
3
2
4A
5
35
36
Parcel D

Land Use District Map



R2 Residential
R3 Residential
RMH1 Mobile Home Subdivision
RMH2 Mobile Home Park

M Industrial
PUB Public Service
PR Parks and Recreation
UR Urban Reserve
DC Direct Control

C1 Primary Commercial
C1-S Special Commercial
C2 Secondary Commercial
C3 Highway Commercial
C4 Local Commercial

PART SIX — GENERAL DEVELOPMENT REQUIREMENTS — ALL DISTRICTS

6.1 Removal of Topsoil and Landscaping

1. A development permit is required for the removal of topsoil. Upon occupancy of a development, a minimum topsoil coverage of 0.15 m shall be provided and the affected area shall be landscaped to the satisfaction of the Development Officer.
2. As a condition of a development permit, all landscaping and planting must be carried out within one year from the time of occupancy.
3. Any landscaping or topographic reconstruction shall be such that the finished surface contours do not direct surface drainage onto an adjoining lot.

6.2 Controlled Appearance

The design, siting, external finish and architectural appearance of any proposed building, structure or sign must be acceptable to the Development Officer having due regard for the amenities and character of the existing development.

6.3 Projection Over Yards

1. No portion of any building shall project onto, over, or into a setback requirement for any yard.
2. Notwithstanding subsection (1), eaves may project up to a maximum of 0.6m (2 ft.) into a required yard setback.

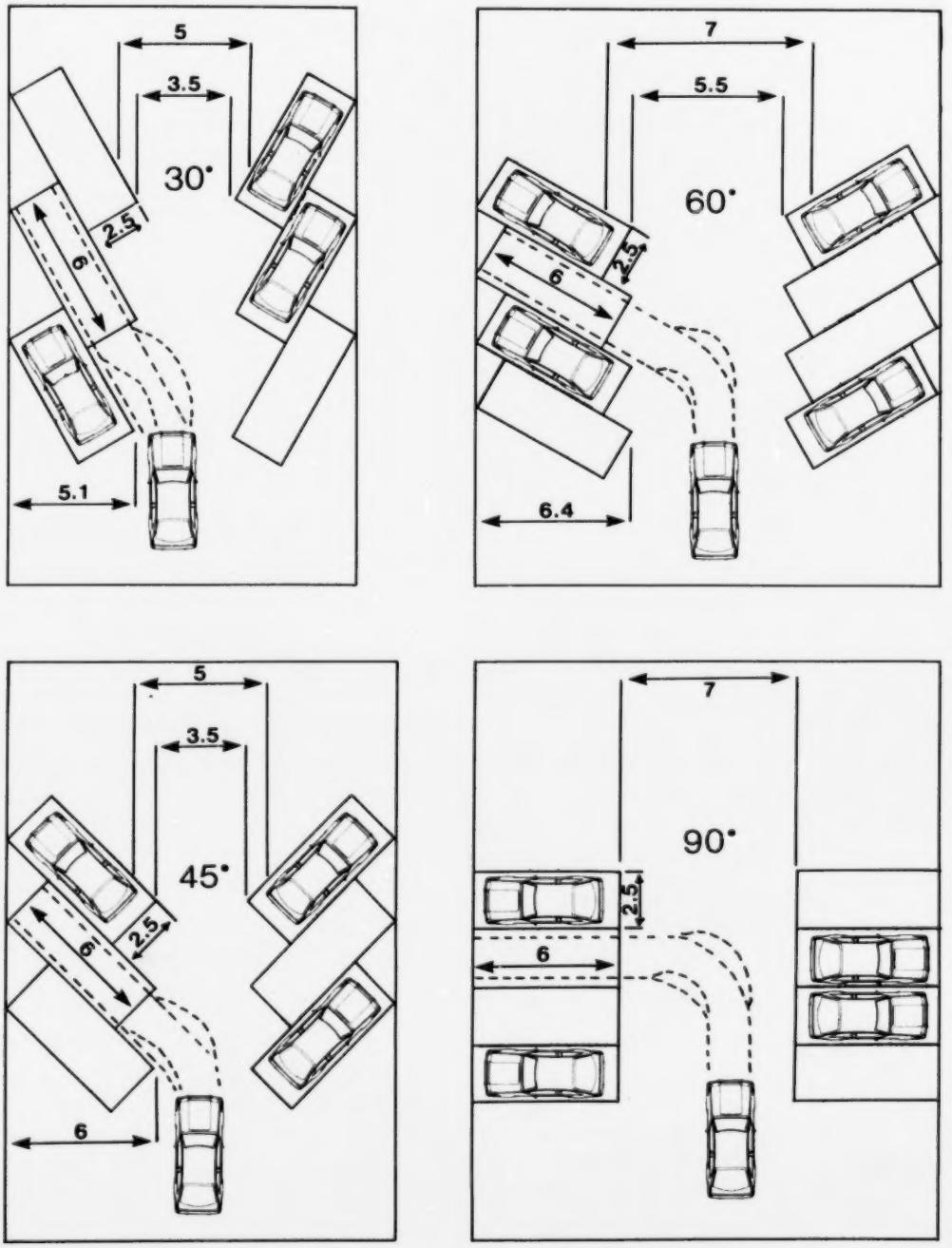
6.4 Existing Substandard Lots

The Development Officer/Municipal Planning Commission may issue a development permit where an existing parcel is less than the minimum site area required by the Bylaw.

6.5 Parking and Loading Facilities

1. An off-street parking area:
   a) shall not be located within 1 m of a lot line fronting onto a street;
   b) shall provide, to the satisfaction of the Development Officer, adequate curbs, curbcuts, concrete bumpers or fences;
   c) shall meet the minimum standards and utilize manoeuvering aisles as shown in figure 1.

Figure 1 Off Street Parking Standards



measurements in metres

2. A parking area shall be located on the same site as the building or use for which it is required and shall be designed, located, landscaped, and constructed to the satisfaction of the Development Officer.

3. Each parking or loading space shall be graded and surfaced to dispose of storm water runoff.

4. A minimum of one off-street loading space shall be provided for each commercial, industrial, or similar use.

5. Each loading space shall have dimensions of not less than 3m in width, 7.5m in length, and 4.2m in height.

6. Loading spaces shall be designed so that backing or turning movements of vehicles going to or from the site do not interfere with traffic in adjacent streets or lanes.

7. Required Number of Off-Street Parking Spaces

   The minimum number of off-street parking spaces required for each building class shall be as in the following table. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Officer. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.

   The Development Officer may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project. Subject to the approval of Council, the applicant may at his option, pay to the municipality a payment equal to the cost of an equivalent public parking space provided elsewhere in the district.

REQUIRED PARKING SPACES

Use of Building or Development	Minimum Number of Parking Stalls
Residential	
one and two family dwellings	1.0 per dwelling unit
apartments and rowhousing	1.5 per dwelling unit (Where this results in a fractional requirement, the total requirement shall be the next whole number)
Commercial	
neighbourhood commercial stores and shopping centres	1 per 28m² of gross leasable floor space and one space per two employees on maximum shift
retail and personal service shops, banks, and offices	1 per 46m² of gross leasable floor area
	1½ stalls per residence above Commercial Developments
restaurants, cocktails bars, taverns	1 per 5 seating spaces and one space per 3 employees
hotels, motor hotels, and motels	1 per sleeping unit and one space per 3 employees

Places of Public Assembly	
auditoriums, churches, halls, clubs, theatres, and other amusement or recreation places	To the satisfaction of the Development Officer but not less than one space per 10 seating spaces
Schools	
public, separate or private elementary and Jr. High Schools	1 per employee, plus five
public or separate Sr. High Schools which either do or do not include an auditorium, gymnasium or swimming pool	1 per employee, plus 1 for every 10 students
Industrial	
manufacturing and industrial plants, warehousing, wholesale and and storage building and yards, servicing and repair establishments, research laboratories and public utility buildings	1 per 3 employees on maximum shift provided that this standard may be varied by the Development Officer
Hospitals and Similar Uses	
hospitals, sanitoriums, convalescent homes, etc.	1 per 93m² of gross floor area, or 1 per 4 beds and one for every 2 employees on maximum shift, whichever is greater

6.6 Lighting

Any proposed lighting shall be located and arranged so that light is not directed onto adjacent properties.

6.7 Sign Control

1. No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, or be located, or display a light intensity or color where it may interfere with, or be confused with any authorized traffic sign, signal, or device and in so doing create a traffic hazard.
2. Commercial and Industrial identification and advertising signs shall not overhang any abutting Municipal, Provincial, or Federal property.
3. When a sign is located in any District the base of the sign shall be located within the site.
4. In considering a development application for a sign, the Development Officer shall have due regard to the amenities of the District in which the sign is located and the design of the proposed sign.
5. Within a Residential or Urban Reserve District one identification sign per site may be permitted as follows:
   a) a fascia sign which does not exceed 0.3m² in area to identify a home occupation;
   b) a free standing sign or fascia sign to identify an apartment building, mobile home park, or other non-commercial use and which does not:
      i. exceed 1.5m² in area; or
      ii. which does not encroach within .6m from the property line; or
      iii. exceed 3.5m in height.

6. Within all Commercial, Industrial, and Public Service Districts, identification or directional signs may be allowed as follows:

   a) free standing signs provided that:
      i. the maximum height shall not exceed 9m;
      ii. the total sign area for each face shall not exceed $14m^2$;
      iii. the sign does not encroach within 0.6m from the property line;

   b) fascia signs provided that the total copy area of a sign or signs shall not exceed 20% of the face of the building or bay to which the sign is attached;

   c) projecting signs provided that:
      i. the maximum area shall be $9m^2$;
      ii. a sign shall not rise more than 0.3m above a parapet;
      iii. a sign shall not project within 0.6m back from the property line;
      iv. a minimum of 3m shall be provided between the bottom of a sign and a private sidewalk or walkways;
      v. the structural supports and anchors have been approved by a professional structural engineer.

7. Within a Residential District a community identification sign is permitted. It is intended that this sign would be low profile and containing only the name of the community and perhaps a logo or a symbol which is identified with the community. The sign should be permanent, stationary, and blend with the landscaping and architecture of the surrounding area, and the community it represents.

PART SEVEN — GENERAL REQUIREMENTS FOR RESIDENTIAL *DEVELOPMENT*

7.1 Dwelling Units on a Parcel

1. No development permit shall be issued for the erection of more than one dwelling unit on a lot unless the second or additional dwelling is:

   a) contained in a building which is designed for or divided into two or more dwelling units;

   b) a mobile home unit forming part of a park for mobile home units;

   c) a building or parcel of land, as defined in the Condominium Property Act, that is the subject of a condominium plan registered in the Land Titles office as such.

7.2 Objects Prohibited or Restricted in Residential Districts

No person shall be allowed to keep or maintain on a site or street in a Residential District:

1. any dismantled or wrecked vehicle for more than 14 successive days;
2. any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the District;
3. any construction or farm machinery except when such a vehicle is required pursuant to a development or building permit for that site;
4. any commercial vehicle loaded or unloaded with a weight in excess of 4000 kg;
5. any commercial or recreational vehicle in excess of 2000 kg to remain in the front yard.

7.3 Accessory Buildings in Residential Areas

1. An accessory building shall not be used as a dwelling.

2. The siting of an accessory building shall be in accordance with Figure 2.

3. No accessory building, use or parking space shall be located in the front yard. The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Officer.

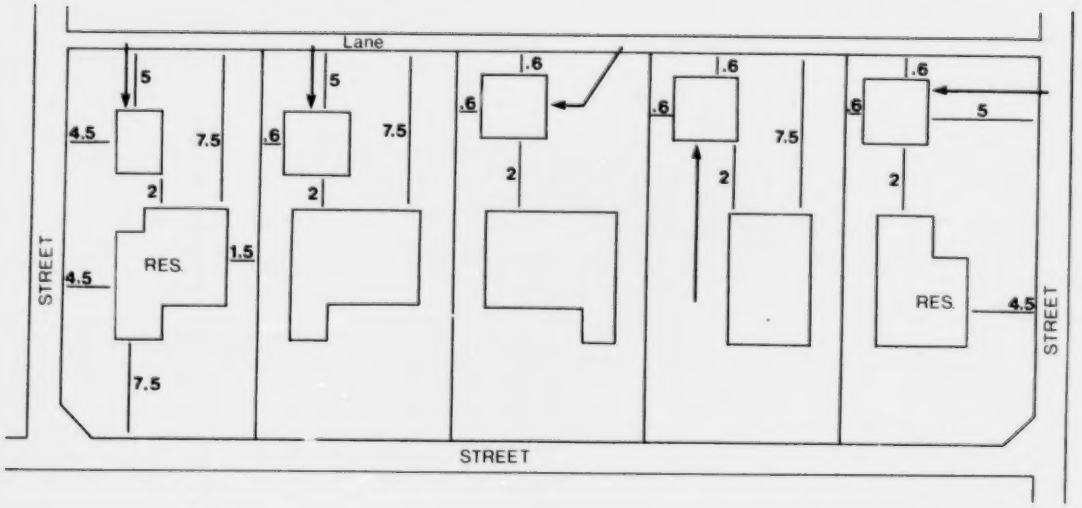
4. Where a structure is attached to the principle building by a roof, an open or closed structure, a floor or a foundation, it is to be considered a part of the principle building and is not an accessory building.

7.4 Home Occupations

1. Development permits issued for home occupations shall be revocable at any time if, in the opinion of the Development Officer, the use has become detrimental to the amenities of the neighbourhood.

2. A home occupation shall be an incidental and secondary use to the principle residential use.

Figure 2 Yard Requirements for Residential Districts
(minimum setbacks)



measurements in metres

7.5 Relocation of Dwellings

1. In deciding on an application to relocate a dwelling, the Development Officer/ Municipal Planning Commission shall consider the building's conformity to the character and appearance of the neighbourhood. Coloured photographs of the dwelling to be relocated shall be included with the development permit application.
2. The applicant shall provide a letter of credit of such amount to ensure completion of any renovations included as a condition of approval of a permit.
3. The applicant shall indemnify the Town for any damages to public or quasi-public features incurred as a result of the relocation.
4. All structural and exterior renovations to a relocated building are to be completed within one year of the issuance of the development permit.

7.6 Churches

1. The site on which a church is situated shall have a minimum frontage of 30m and a minimum area of 930m^2. If the clergyman's residence is included on the site, the minimum area is 1400m^2.
2. Yard requirements are as for residences.

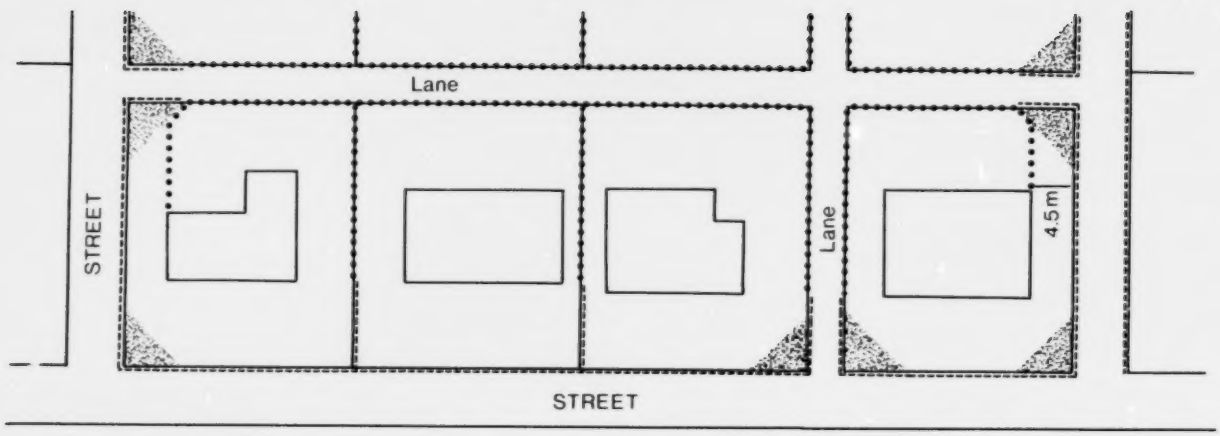
7.7 Mobile Homes

1. Mobile homes shall have Canadian Standard Association Certification.
2. All accessory structures, such as additions and skirtings, shall be:
   a) designed and erected to harmonize with the mobile home;
   b) considered as part of the main building;
   c) erected only after obtaining a Development Permit.
3. A mobile home shall be skirted from the floor level to the ground and shall match the existing external finish of the mobile home.
4. All mobile homes shall be placed on a foundation or base. The mobile home is to be attached by means of bolting or otherwise to the foundation or base.

7.8 Fencing and Corner Lots

1. The maximum height for fences is as shown on Figure 3.
2. No fence, wall, tree, bush, or structure located within a corner site is to exceed 1m in height. (See Figure 3).
3. A corner site is as shown on Figure 4.

Figure 3 Fences in Residential Districts



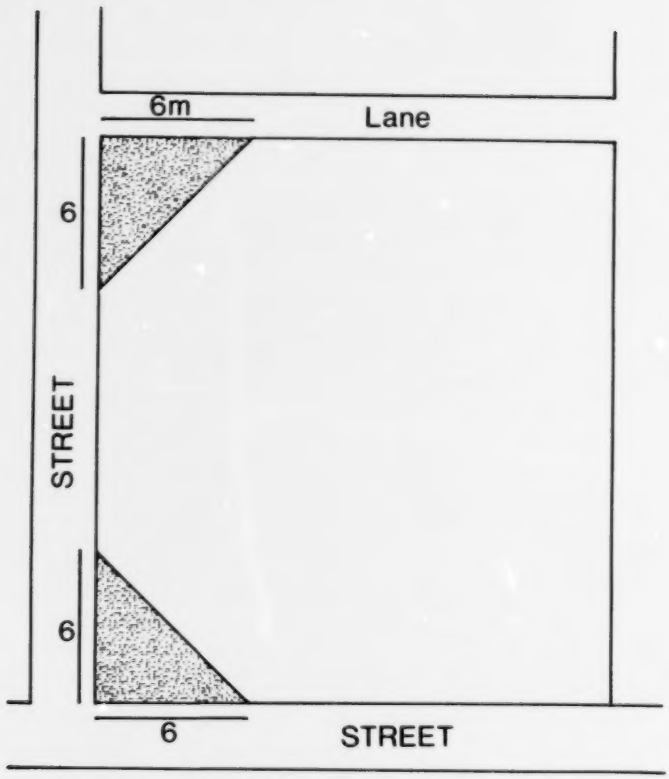
Maximum Fence Height

..... 2m

----- 1m

corner site area

Figure 4 Corner Site in Residential Districts



PART EIGHT — RESIDENTIAL DISTRICT — R2

The general purpose of this District is to allow for the development of low density single family dwellings and associated uses.

8.1 Permitted Uses

a) Single family dwellings
b) Accessory buildings and uses

8.2 Discretionary Uses

a) Small parks and playgrounds
b) Churches
c) Public buildings or utilities required to serve the immediate area
d) Home occupations

8.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Residential Requirements, Part 6, the following shall apply to this District.

1. Single family dwellings

   Minimum site requirements relating to single family dwellings serviced by water and sewer.

   a) site area 460m² for lots created before March 19, 1980
      560m² for lots created after March 19, 1980
   b) front yard setback — 7.5m
   c) rear yard setback — 7.5m
   d) side yard setback — 1.5m
      — 4.5m for corner lot yard abutting street
   e) floor area; 1 storey — 85m²
      1½ storey/split level — 100m²
      2 storey — 130m²

2. Maximum lot coverage:
   all buildings — 40% of the lot area
   detached garage — 15% of the lot area

3. Maximum building height:
   dwellings — 2 stories from the foundation (10m)
   accessory buildings — 1 storey (4.5m)

4. Maximum net density — 17 units per hectare

5. Parking spaces shall not be located in the front yard of any site unless otherwise allowed by the Development Officer/Municipal Planning Commission.

6. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART NINE — RESIDENTIAL DISTRICT — R3

The general purpose of this District is to allow for the development of multiple family development on approved sites.

9.1 Permitted Uses

a) Duplexes
b) Fourplexes
c) Rowhousing
d) Accessory buildings and uses

9.2 Discretionary Uses

a) Apartments
b) Other multiple family residential development
c) Small parks and playgrounds
d) Churches
e) Public buildings or utilities required to serve the immediate area.

9.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Residential Requirements, Part 6, the following shall apply to this District.

1. Duplexes and Fourplexes
   a) Minimum site requirements
      i. 'Up-and-down' duplex units — 670m² provided the combined floor space areas do not exceed 190m²
      ii. Semi-detached or 'side-by-side' units — 700m² (740m² for a corner site)
      iii. Fourplex — 1300m²
      iv. Floor space area per dwelling unit — 55m²
      v. Yard requirements — as for dwellings in R2 District
   b) Maximum lot coverage — 40%
   c) Maximum gross density — 20 units per hectare
   d) Maximum net density — 30 units per hectare

2. Apartments
   a) Maximum gross density allowed — 16 units per acre
   b) Maximum net density allowed — 25 units per acre

   Densities will be calculated according to the following chart:

Type of Suite	Minimum Suite Floor Area	Area of Site Required Per Suite
Bachelor	42 m^2	85 m^2
1 Bedroom	55 m^2	115 m^2
2 or more Bedrooms	70 m^2	160 m^2

   c) Maximum coverage — 35%
   d) Yard dimensions: front yard — 9m
      rear yard — 9m
      side yard — 15% of site width
   e) Amenity Area: meaning a landscaped area available to the occupants of a dwelling for their personal enjoyment and recreation. The size of the amenity area shall be determined according to the following schedule:

      In each Bachelor unit — 18 m^2
      1 bedroom — 28 m^2
      2 or more bedrooms — 70 m^2

      Side yards and car parking shall not be considered as part of any amenity area.

3. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART TEN — RESIDENTIAL MOBILE HOME SUBDIVISION DISTRICT — RMH1

The general purpose of this District is to permit development of mobile home subdivisions, in which each unit is located on a separately registered parcel.

10.1 Permitted Uses

a) Single-wide mobile homes
b) Double-wide mobile homes
c) Public parks
d) Accessory buildings and uses

10.2 Discretionary Uses

a) Public buildings or utilities required to serve the immediate area

10.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Residential Requirements, Part 6, the following shall apply to this District.

1. Mobile Homes
   a) maximum height — mobile homes — 4.5m
      accessory buildings — 4.5m
   b) minimum floor area — 46m²
   c) minimum lot width — single wide — 12m
      — double wide — 15m
   d) minimum lot area — single wide — 370m²
      — double wide — 460m²
   e) minimum yard dimensions — front — 4.5m
      — side — 3m
      — rear — 6m interior lot
      — 4.5m corner lot
   f) maximum lot coverage
      all buildings — 40% of the lot area
      accessory buildings — 15% of the lot area
   g) maximum net density — 25 units per hectare
2. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART ELEVEN — RESIDENTIAL MOBILE HOME PARK DISTRICT — RMH2

The general purpose of this District is to permit and regulate mobile home parks wherein stalls are provided on a rental basis.

11.1 Permitted Uses

a) Mobile home parks
b) Public parks
c) Accessory buildings and uses

11.2 Discretionary Uses

a) Public buildings or utilities required to serve the immediate area

11.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Residential Requirements, Part 6, the following shall apply to this District.

1. Mobile Homes
   a) maximum height — mobile homes — 4.5m
      — accessory buildings — 4.5m
   b) minimum stall area — single wide — 370m
      — double wide — 420m
   c) minimum park size — 1 hectare
      — double wide — 460m²
   d) minimum yard dimensions — 3m for front, side, and rear
   e) maximum stall coverage
      all buildings — 40% of the stall area
      accessory buildings — 15% of the stall area
   f) maximum net density — 25 units per hectare

2. Mobile Home Parks
   a) Stalls shall be located a minimum of 3m from the park boundary. This setback strip shall be landscaped or fenced to the satisfaction of the Development Officer.
   b) All interior roads shall be hard surfaced, well drained and maintained to the satisfaction of the Development Officer. Minimum right-of-way width shall be 9m.
   c) All parks shall be provided with all season pedestrian access of not less than 1m in width between mobile homes, the park street and any community facilities provided for park residents.
   d) Visitor parking requirements shall be at the discretion of the Development Officer and shall not be used for the storage of boats, trailers, and similar equipment.
   e) Two off-street parking spaces shall be provided on or adjacent to each mobile home stall.
   f) In a mobile home park, 5% of the gross site area shall be devoted to recreational use OR recreational space shall be provided at the ratio of at least 9.3m² per mobile home space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, in locations other than those designated as buffer strips, and clearly defined.
   g) All areas of a mobile home park not occupied by mobile homes and their additions, internal roads, footpaths, driveways, permanent buildings, and any other developed facilities shall be landscaped to the satisfaction of the Development Officer. Screen fences or walls shall be erected where deemed necessary by the Development Officer around laundry yards, refuse collection points and playgrounds.

h) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.

i) Each mobile home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

j) Street lighting in a mobile home park shall be to the same standard as that in a conventional residential neighbourhood.

k) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a mobile home park unless the Development Officer is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Officer.

l) Directional signs within the mobile home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

3. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART TWELVE — GENERAL REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT

12.1 Churches

1. The site on which a church is situated shall have a minimum frontage of 30m and a minimum area of 930m². If the clergyman's residence is included on the site, the minimum area is 1400m².

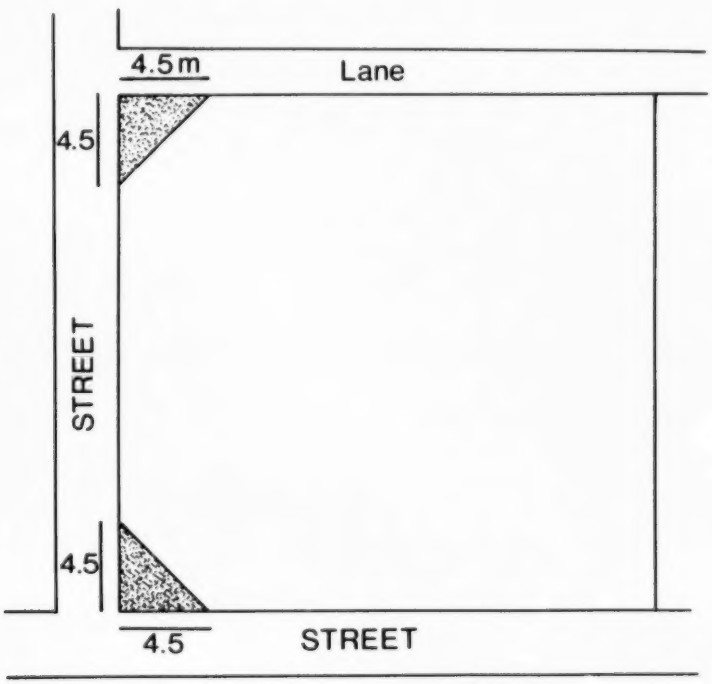
2. Yard requirements are as for residences.

12.2 Fencing and Corner Lots

1. Commercial development adjacent to a residential area shall be screened from view by a fence which is aesthetically designed and constructed of materials satisfactory to the Development Officer.

2. No fence, wall, bush, or structure located within a corner site is to exceed 1m in height. A corner site is as shown on the following diagram.

Figure 5 Corner Site in Commercial Districts



measurements in metres

12.3 Service Stations

1. In the case of development of a service station, the Development Officer shall refer the application to the Fire Protection Branch of Alberta Labour to ensure that it conforms to the Alberta Fire Code.
2. No vehicular access point shall be within 60m of an access point for a firehall, school, playground, church, or similar public or quasi-public use.
3. Commercial development adjacent to a residential area shall be screened from view by a fence which is aesthetically designed and constructed of materials satisfactory to the Development Officer/Municipal Planning Commission.
4. No part of a service or gas station building or of any pump shall be within 6m of any property line.
5. The minimum site area shall be 740m^2 and the maximum building coverage shall be 25% of the site area. For service stations including a car wash the minimum site area shall be 1110m^2.

12.4 Drive-In Business

1. Access points shall be located to the satisfaction of the Development Officer.
2. Provision on the site for at least 8 customer cars shall be required.
3. The site shall be surfaced and drain to the satisfaction of the Development Officer/ Municipal Planning Commission.

12.5 Protection From Exposure Hazards

1. The location of any anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 9000 litres shall be in accordance with the requirement of the Gas Protection Act, Fire Code, and any other relevant Regulations, but in no case be less than a minimum distance of 120m from assembly, institutional, or residential buildings.
2. AA or LPG containers with a water capacity of less than 9000 litres shall be located in accordance with regulations under the Gas Protection Act.
3. Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Alberta Fire Code.
4. Setbacks from pipelines and other utility corridors shall be as required by the Development Officer/Municipal Planning Commission and the appropriate Provincial Regulations or Acts.

PART THIRTEEN — CENTRAL COMMERCIAL DISTRICT — C1

The General Purpose of this District is to provide for commercial development appropriate to the Central Business District of the municipality and involving fairly high density development. The regulations do not permit obnoxious uses or those involving excessive outside storage.

13.1 Permitted Uses

(a) Bank
(b) Coin Laundries
(c) Grocery Store
(d) Hair Salon
(e) Household Appliance Sales
(f) Offices
(g) Retail Store
(h) Restaurant
(i) Shoe Repair Shop
(j) Tailor Shop
(k) Manufacture or treatment of products essential to an adjacent retail business, if the floor space area is not greater than 4000 sq. ft. For example: bakery, cleaning plant.

13.2 Discretionary Uses

(a) Auto Sales (new and used)
(b) Bowling Alley
(c) Clinic
(d) Club or Lounge
(e) Dance Hall
(f) Hotel
(g) Parking Lot (public or private)
(h) Service or Gas Station
(i) Theatre
(j) Other uses which in the opinion of the Development Officer/Municipal Planning Commission are similar to the above mentioned uses.
(k) The indoor storage of articles before sale in connection with any of the aforementioned uses.
(l) An accessory building or use incidental to any of the aforementioned uses. Accessory use in this connection shall be deemed to include dwelling accommodation in a building used for any of the aforementioned uses.
(m) Public buildings and uses.

13.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Commercial Requirements, Part 12, the following shall apply to this District.

1. **All Uses**
   a) minimum site area — 140m²
   b) minimum site width — 7.5m
   c) minimum front yard setback — none required except where the Development Officer/Municipal Planning Commission deems it appropriate to conform with existing development
   d) minimum side yard — none required where bounded by land classified as C1
      — if a side yard is provided it shall not be less than 1.5m
      — if a lot borders a residential district, the side yard shall be not less than 1.5m
   e) minimum rear yard — 7.5m or as required by the Development Officer/ Municipal Planning Commission
   f) floor area — as required by the Development Officer/Municipal Planning Commission
   g) maximum site coverage — 80% of the site area provided that the loading, storage, and disposal of waste has been allowed for to the satisfaction of the Development Officer/Municipal Planning Commission
   h) Where shopping centres or groups of shops are to be built, requirements shall be determined by the Development Officer/Municipal Planning Commission who shall consider access, parking, building location and other similar concerns.

2. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART FOURTEEN — SPECIAL COMMERCIAL DISTRICT — C1-S

The general purpose of this District is to allow for the basementless mobile homes while still recognizing that the eventual use of the land will be commercial.

14.1 All uses and site requirements are as for C1 except that basementless mobile homes are included as a Discretionary Use. Site requirements for mobile homes in RMH1 District shall apply.

PART FIFTEEN — COMMERCIAL DISTRICT — C2

The general purpose of this District is to permit commercial development activities which require larger parcels of land and which do not require a large volume of pedestrian traffic.

15.1 Permitted Uses

a) A workshop used by any of the following

Cabinet Maker	Metal Worker
Carpenter	Painter
Decorator	Plumber
Electrician	Printing Shop
Gas Fitter	Pipe Fitter
Laundry	Upholsterer

15.2 Discretionary Uses

a) Motel
b) Funeral Parlour
c) Service or Gas Station
d) Automobile Garage
e) Wholesale Warehouse
f) Frozen-Food Locker
g) Auction Mart
h) Veterinary Clinic
i) The storage and/or sale of:
    Automobiles
    Building Supplies
    Farm Machinery
    Lumber
    Propane Gas
    Fertilizer
    Bulk Oil
j) Public buildings or utilities required to serve the immediate area
k) Other uses which in the opinion of the Development Officer/Municipal Planning Committee are similar to the above mentioned uses

15.3 Regulations

a) All uses
    — as for C1 uses

PART SIXTEEN — HIGHWAY COMMERCIAL DISTRICT — C3

The general purpose of this District is to permit commercial uses which will serve the travelling public.

16.1 Permitted Uses

a) Motels
b) Accessory buildings and uses

16.2 Discretionary Uses

a) Campgrounds
b) Car washes
c) Drive-in restaurants
d) Service stations
e) Restaurants in conjunction with service stations
f) Public buildings and uses
g) Public utility buildings and installations
h) Other uses, which in the opinion of the Development Officer/Municipal Planning Commission, are similar to the above mentioned uses.

16.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Commercial Requirements, Part 12, the following shall apply to this District.

1. All Uses
   a) minimum site area — as required by the Development Officer/Municipal Planning Commission
   b) minimum site width — 7.5m
   c) minimum front yard setback — 6m
   d) minimum side yard — 3m
   e) minimum rear yard — 6m
   f) maximum lot coverage all buildings — 40% of site area
   g) Development within this District shall be located where it may be served directly and efficiently by the major street system. The number of accesses provided to the roadway from a development or service road shall be to the satisfaction of the Development Officer/Municipal Planning Commission.

2. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART SEVENTEEN — LOCAL COMMERCIAL DISTRICT — C4

The general purpose of this District is to permit and regulate small neighbourhood stores providing convenience goods and services to local residents.

17.1 Permitted Uses

a) Confectionaries
b) Convenience grocery stores
c) Dry cleaners/coin laundries
d) Hair salons/

17.2 Discretionary Uses

a) Uses similar to the above, at the discretion of the Development Officer/Municipal Planning Commission.

17.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Commercial Requirements, Part 12, the following shall apply to this District.

1. All uses
   a) Minimum site area — parcels for local commercial use shall be the same as the parcels in the adjacent or surrounding residential district.
   b) Minimum yard dimensions as required by the Development Officer/Municipal Planning Commission.
   c) Landscaping and bufferstrips shall be provided to the satisfaction of the Development Officer/Municipal Planning Commission.
   d) All loading and parking areas must be screened from view of adjacent residences, to the satisfaction of the Development Officer/Municipal Planning Commission.

2. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART EIGHTEEN — INDUSTRIAL DISTRICT — M

The general purpose of this District is to provide opportunities for industrial and manufacturing uses.

18.1 Permitted Uses

a) All Commercial C2 uses
b) Warehousing and storage
c) Light manufacturing and manufacturing which is not obnoxious

18.2 Discretionary Uses

a) Recreational and municipal uses that are not restrictive and are compatible with an industrial area
b) Industrial uses which are noxious by reason of emmissions, noise, or vibration

18.3 Site Requirements

In addition to the General Development Requirements, Part 5, and the General Commercial Requirements, Part 12, the following shall apply to this District.

1. All Uses
   a) minimum front yard — 9m
   b) minimum rear yard — 9m
   c) minimum side yard — 3m
   d) maximum lot coverage — 50%
2. External storage of goods or materials is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall.
3. All other site requirements shall be as determined by the Development Officer/ Municipal Planning Commission.

PART NINETEEN — PUBLIC SERVICE DISTRICT — PUB

The general purpose of this District is to permit development of uses of either a public or private nature which provide services to the community.

19.1 Permitted Uses

a) Churches
b) Community Halls
c) Hospitals and nursing homes
d) Schools
e) Senior citizens homes and similar buildings
f) Accessory buildings and uses

19.2 Discretionary Uses

a) Cemeteries
b) Recreational uses
c) Private clubs and lodges
d) Public and quasi-public buildings or uses
e) Other uses which in the opinion of the Development Officer/Municipal Planning Committee are similar to the above mentioned uses

19.3 Site Requirements

In addition to the General Development Requirements, Part 5, the following shall apply to this District.

a) All site requirements shall be as determined by the Development Officer/Municipal Planning Commission.

PART TWENTY — URBAN RESERVE DISTRICT — UR

The general purpose of this District is to reserve those lands on the periphery of the Town which by their relationship to existing land uses, to the main road system, and to the established utility systems will, in time, become suitable for general urban uses.

20.1 Permitted Uses

a) Single family dwellings — on existing parcels only
b) Farming and cultivation of land but not including such agricultural uses as feed lots, hog barns, poultry farms, and fur farms.

20.2 Discretionary Uses

a) Any strictly temporary use or building which, in the opinion of the Development Officer/Municipal Planning Commission will not prejudice the possibility of conveniently and economically replotting or developing the area in the future
b) Public buildings or utilities required to serve the immediate area

20.3 Site Requirements

a) No subdivision or development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish an outline plan of subdivision, the proposed land use classification, public reserve dedications and utilities policies.
b) Relating to Single family Dwellings:

Minimum yard dimensions shall be as determined by the Development Officer/ Municipal Planning Committee.

PART TWENTY-ONE — PARKS AND RECREATION — PR

The General Purpose of this District is to permit the use of land for services, mainly of a public nature which have a primary orientation toward the community.

21.1 Permitted Uses

a) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses.

21.2 Discretionary Uses

a) Cemeteries
b) Public utility buildings and installations
c) Public buildings and uses

21.3 Regulations

a) All site requirements shall be as determined by the Development Officer/Munic-Planning Commission.

PART TWENTY-TWO — DIRECT CONTROL DISTRICT — DC

This is a special district employing the discretionary powers available to Council through Section 70 of the Planning Act R.S.A., 1980. All regulations concerning the use and development of land and buildings within the Direct Control District shall be at the discretion of Council.

PART TWENTY-THREE — DEFINITIONS

"Accessory building or use" means a building or use which, in the opinion of the Development Officer/Municipal Planning Commission, is subordinate or incidental to the principle building or use located on the same parcel;

"apartment" means a residential building consisting of at least three dwelling units, but shall not mean row housing;

"building" includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway;

"Council" means the Council of the Town of Viking;

"development" means

(a) an excavation or stockpile and the creation of either of them, or

(b) a building or an addition to, or replacement, or repair of a building, and the construction or placing in, on, over, or under land of any of them, or

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

(d) a change in the intensity of use of land or a building or an act done if relation to land or a building that results in or is likely to result in a change in the intensity or use of the land or building;

"development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;

"discretionary use" means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made;

"dwelling" means any building or structure used for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, modular units, and apartments, but does not include mobile homes;

"dwelling unit" means a complete building or self-contained portion of a building, set or suite of rooms for the use of a single housekeeping unit, containing sleeping, cooking, and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

"duplex" means two dwelling units sharing a common wall, and located side by side or one above the other;

"fascia sign" means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m from the building;

"free standing sign" means a sign on a standard or column fixed to its own self-contained base;

"front yard" means a yard extending across the full width of a parcel from the front line of the parcel to the front wall of the main building situated on the parcel;

"home occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof;

"lot" means the aggregate of one or more areas of land described in a Certificate of Title;

"main building" means a building in which is conduceted the main or principle use of the site on which it is erected;

"mobile home" means a structure whether ordinarily equipped with wheels or not that is manufactured to be moved from one point to another by being towed or carried and which provides year round living accommodation for one or more persons and can be connected to utilities;

"modular unit" means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. Units may be stacked side by side or vertically, and completed to form one or more complete dwelling units for year round occupancy;

"non-conforming building" means a building;

(a) that is lawfully constructed or lawfully under construction at the date this Land Use Bylaw or any amendment to it affecting the building or land on which the building is situated becomes effective, and

(b) that on the date this Land Use Bylaw or any amendment to it becomes effective does not, or when constructed, will not comply with this Land Use Bylaw;

"non-conforming use" means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction, at the date this Land Use Bylaw or any amendment to it becomes effective does not, or in the case of a building under construction, will not comply with this Land Use Bylaw;

"parcel" means the aggregate of the one or more areas of land described in a Certificate of Title;

"permitted use" means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made if all the requirements of this Bylaw are met;

"projecting sign" means a sign which is attached to a building or structure so that part of the sign projects more than 0.3 m from the face of the building or structure;

"public or quasi-public use" means a use which is for the purposes of public administration and services and shall also include uses for the purpose of assembly, instruction, culture, or enlightenment or for community activities, and includes cemetaries;

"rear yard" means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;

"recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping, or travel use, which either has its own motor power or is mounted or drawn by another vehicle; and shall also include vehicles used for recreation such as trikes, ski-doos, and boats;

"row housing" means a residential use where a building or buildings on a lot are each used for at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";

"side yard" means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the furthest projection of the side wall of the main building;

"yard" means a part of a parcel upon or over which no main building is erected;

— and all other words and expressions have the meanings respectively assigned to them in the Act.

PART TWENTY-FOUR — EXISTING CONTROLS AND DATE OF COMMENCEMENT

23.1 Land Use Bylaw No. 329 and amendments thereto, are hereby repealed.

23.2 This Bylaw comes into effect upon the date of its third reading.

Read a first time this fifth day of February, 1986.

Read a second time this nineteenth day of February, 1986.

Read a third and final time this nineteenth day of February, 1986.

Robert W Evans.

Mayor

Lydia Hanson

Administrator

FORM A

PART TWENTY-FIVE — FORMS

Application No. _____

APPLICATION FOR DEVELOPMENT

I/We hereby make application for a development under the provisions of the Land Use Bylaw in accordance with the plans and supporting information submitted herewith and which forms part of this application.

Applicant: _____

Address: _____ Tel. No.: _____

Registered Owner of Land: _____

Address: _____

Address of property on which the development is to be effected: _____

_____

Lot (parcel) _____ Block _____ Registered Plan No. _____

Existing use of land or building on the property: _____

Land Use District: _____

Proposed use of land or building on the property: _____

Lot type: Interior: _____ Corner _____

Lot width: _____ Lot length: _____ Lot area: _____

Proposed Yards, Front: _____ Rear _____ Side _____

Floor Area: _____

Percentage of Lot Occupied: _____ Building Height: _____

Accessory Use: _____

Percentage of Lot Occupied: _____

Height of Accessory Building: _____

Set back from side lot line: _____ Set back from rear lot line: _____

Estimated commencement date: _____ Estimated completion date: _____

Estimated value of Development: _____

Interest of Applicant if not owner of property: _____

Other supporting material attached: _____

Signature of Applicant: _____ Date: _____

FORM B

Permit No. _____

DEVELOPMENT PERMIT

Development involving Application No. _____ has been:

APPROVED

APPROVED, subject to the following conditions,

You are hereby authorized to proceed with the development specified provided that any stated conditions are complied with; that development is in accordance with any approved plans and applications; and, that all applicable permits are obtained. **Should an appeal be made against this decision to the Development Appeal Board, the development permit does not come into effect until the appeal has been determined and the permit may be modified or nullified.**

Date of Decision _____ Date of Issue of Development Permit _____

Development Officer _____

NOTE:

1. A Development Permit is subject to the condition that it does not become effective until 15 days after the date of issue.
2. The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer/Municipal Planning Commission may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within 14 days after notice of tne decision is given.
3. A permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.

FORM C

Re: Application No. _____

NOTICE OF REFUSAL

You are hereby notified that your application for a development permit has been REFUSED for the following reasons:

You may appeal this decision to the Development Appeal Board in accordance with Part Three of the Land Use Bylaw. The appeal is to be made in writing to the Secretary of the Development Appeal Board within fourteen (14) days after the date of issue of this notice and is to explain grounds for the appeal.

Date of Decision _____

Date of Notice of the Decision _____

_____

Development Officer

FORM D

Re: Application No. _____

NOTICE OF DECISION

This is to notify you of a decision of the Development Officer/Municipal Planning Commission whereby a development permit has been issued authorizing the following development.

Address of property: _____

Lot: _____ Block: _____ Registered Plan: _____

or Certificate of Title: _____

Date of Decision: _____

The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer/Municipal Planning Commission may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within 14 days after notice of the decision is given.

FORM E

Re: Application No. _____

NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the Development Appeal Board against a decision on Application No. _____ concerning: _____

_____

_____

_____

The decision was to _____ the development permit.

Place of Hearing: _____

Time of Hearing: _____

Date of Hearing: _____

Any person affected by the decision of the Development Officer may appeal to the Development Appeal Board. Anyone wishing to be heard at the meeting must submit written briefs to the Secretary of the Development Appeal Board before _____

_____.

_____
Date

_____
Secretary,
Development Appeal Board

FORM F

Re: Application No. _____
Development Permit No. _____

NOTICE OF APPEAL DECISION

This is to notify you that an appeal against a decision with respect to Application No. _____/Development Permit No. _____ was considered by the Development Appeal Board on _____, 19___ and the decision of the Board is as follows and for the following reasons.

_____
Date

_____
Secretary
Development Appeal Board

Note: A decision of the Development Appeal Board is final and binding and subject only to an appeal upon a question of jurisdiction or law pursuant to Section 152 of the Planning Act, R.S.A. 1980. An application for leave to appeal may be made to a judge of the Court of Appeal within 30 days after the issue of the decision by the Development Appeal Board.

FORM G

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

I/We hereby make application to amend the Land Use Bylaw.

Applicant: Name _____ Telephone _____

Address _____

Owner of Land: Name _____ Telephone _____

Land Description: Lot _____ Block _____ Registered Plan _____

Certificate of Title _____

Amendment Proposed

FROM _____ TO _____

Reasons in support of Application for Amendment

DATE _____ SIGNED _____

BYLAW NO. 86-411

Being the Bylaw to establish the Municipal Planning Commission for the Town of Viking

Pursuant to Section 28 of the Planning Act, R.S.A. 1980, the Council of the Town of Viking duly assembled, enacts as follows:

1. That a Commission known as the Municipal Planning Commission of the Town of Viking is hereby established.

2. The Commission shall be composed of three members appointed by resolution of Council.

3. No person who is a Development Officer or a member of a Development Appeal Board shall be appointed to act as a member of the Commission.

4. Council shall appoint a Chairperson and Vice-Chairperson by resolution.

5. The term of office of the members of the Commission shall be one year and it may be filled by resolution of the Council.

6. Any vacancy caused by the death, retirement, or resignation of a member may be filled by resolution of the Council.

7. The Commission shall not be disbanded, nor a member of it discharged without cause.

8. Two members of the Commission shall constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Chairperson.

9. A member of the Commission who is for any reason unable to attend the whole or a part of any meeting on an application, shall not participate in the deliberations or decision of the Commission upon that application.

10. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole Commission.

11. The Commission shall hold such meetings as are necessary to fulfill the Commission's responsibilities, but shall meet no less than twice a year.

12. The Commission shall have prepared and maintain a file of written minutes of the business transacted at all meetings of the Commission, copies of which shall be regularly filed with Council.

13. The Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with the Bylaw and the Planning Act.

14. The remuneration, travelling, and living expenses of the Commission members shall be established by resolution of Council.

15. A Secretary of the Commission, who is not a Commission member, shall be appointed by resolution of Council, and shall not be a member of the Municipal Planning Commission.

16. The Commission shall:

(a) advise and assist the Development Officer and Council with regard to the planning of orderly and economical development within the Town and shall seek to ensure that any proposed development is in accordance with the purpose, scope, and intent of the Land Use Bylaw.

(b) consider and decide on development permit application in the manner prescribed in the Land Use Bylaw.

17. The Commission may make its orders, decisions, development permits, and approvals with or without conditions.

18. This Bylaw comes into effect upon the date of it finally being passed.

READ A FIRST TIME this fifth day of February, 1986.

READ A SECOND TIME this nineteenth day of February, 1986.

READ A THIRD AND FINAL TIME this nineteenth day of February, 1986.

Robert W Evans.
Mayor

Lydia Hanson
Administrator